(3)

**BEFORE THE HON'BLE HIGH COURT OF CHHATTISGARH AT BILASPUR**

**W.P. No. 2460 /2004**

**PETITIONER** : Malikram Gada S/o Ramdayal Gada, Aged about 54 years, R/o Laxmi Chowk, P.S. Sarkanda, District - Bilaspur (C.G.)

**VERSUS**

**RESPONDENTS** :

1. State of Chhattisgarh, Through : Executive Engineer Department of Public Health Engineering, Bilaspur (C.G.)

2. Sub Divisional Officer, Public Health Bilaspur (C.G.)

P. R. No. 3449/04
Presented by Shri Siddiqui Sandip
dated 9-8-04

**WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA FOR ISSUNCE OF WRIT IN THE NATURE OF MANDAMUS, CERTIORARI AND OTHER APPROPRIATE WRITES / ORDERS / DIRECTIONS**

HIGH COURT OF CHHATTISGARH AT BILASPUR

(51)

Writ Petition No. 2460 of 2004

Petitioner Malikram Gada

Versus

Respondents State of Chhattisgarh & another

**SB**: Hon'ble Mr. Justice **Satish K. Agnihotri, J**

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*Sushri Sudha Agarwal, Advocate for the petitioner.*

Shri V. V. S. Moorthy, Deputy Advocate General with Shri I. N. Shrivastava, Panel lawyer for the respondents.

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ORAL ORDER

( 12th June, 2006)

The following order of the Court was passed by **Satish K. Agnihotri, J.**

1. The petitioner was appointed on daily wages basis in the year 1980. According to the petitioner, he continued in service till 1985. By an oral order of the Sub Divisional Officer, P.H.E. the services of the petitioner was discontinued in the year 1985. The petitioner is unable to point out the date of appointment and the date of disengagement from service. The petitioner has been paid gratuity pursuant to the order dated 5.12.2000 passed by the Controlling Authority, Payment of Gratuity Act, 1972, Bilaspur, in Gratuity Case No.149/P.G.A./2000.

2. The petitioner has filed this petition on 6.8.2004 seeking a vague relief against the respondents to take back the petitioner in the service and to pay compensation for accident of his daughter. The petitioner has not made out any case for grant of this relief. The petitioner has further failed to point out any reasons, as to why this belated petition was filed for the above stated relief. Lastly,

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the petitioner claims for relief on the ground of mercy which could not be granted by this Court in exercise of its jurisdiction under Article 226 of the Constitution of India. There is no semblance of any right which is enforceable after a period of 19 years.

3. The petition is accordingly dismissed. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge

Thakur